

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No: GT-4722

Anticipated Classification of
this application:

Class: 428 Subclass: 85

Prior Application: 09/032,667

Examiner: Mjehl, P.

Art Unit: 1714



Assistant Commissioner for Patents
Washington, D. C. 20231

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Sir:

This is a request for filing a [] continuation [X] divisional application under 37 CFR 1.53, of pending prior application Serial No. 09/032,667, filed on 2/27/98, of Richard Russell Lattime, Jaclyn Beth Laurich, and George Robert Handley, for CARPET LATEX COMPOUND.

1. [X] Enclosed is a copy of the prior application, including the oath or declaration as originally filed and an affidavit or declaration verifying it as a true copy. (See 8 and 8a for drawing requirements).
- a.[X] Incorporation by Reference. The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
2. [X] The filing fee is calculated below:

CLAIMS AS FILED IN THE PRIOR APPLICATION, PLUS OR MINUS
ANY CLAIMS ADDED OR CANCELLED BY ANY AMENDMENTS NOTED BELOW

SMALL ENTITY/LARGE ENTITY

Total Claims 18 - 20 = 0 X \$11.00/\$22.00 = \$ 0

Independent Claims 3 - 3 = 0 X \$41.00/\$82.00 = \$ 0

Multiple dependent claims,
if any, add surcharge of + \$135.00/\$270.00 \$ 0

Basic fee: \$395.00/\$790.00

TOTAL FILING FEE: \$ 790.00

3. [X] The Commissioner is hereby authorized to charge any fees which may be

CERTIFICATE OF MAILING BY "EXPRESS MAIL"
UNDER 37 CFR 1.10 - SEPARATE PAPER

Applicant: R. Lattime, et al.

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Serial No.: Division Application of 09/032,667 (Filed 2-27-98)

Filed:

For: **CARPET LATEX COMPOUND**

Examiner: P. Michl Group Art Unit: 1714

"EXPRESS MAIL" LABEL NO.: EL 692407514 US

DATE OF DEPOSIT: September 6, 2000



I hereby certify that this paper or fee is being deposited in the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Box Patent Application, Assistant Commissioner for Patents, Washington, D. C. 20231.

Respectfully submitted,

HUDAK & SHUNK CO., L.P.A.

A handwritten signature in cursive script, appearing to read "Daniel J. Hudak".

Daniel J. Hudak
Registration No. 25,879

DJH/sab

7 West Bowery Street, Suite 808
Akron, OH 44308-1133
Telephone: (330) 535-2220

Attorney Docket No.: **GT-4722**
GC-EW-DIV

Enclosures:

- Express Mail Certificate
- Return Postcard
- A Divisional Application under 37 CFR 1.53(b)
- A copy of the Declaration and Power of Attorney
- An Associate Power of Attorney
- A copy of the parent application SN 09/032,667, filed 2/27/98
- Information Disclosure Statement, PTO Form-1449

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- CROSS-REFERENCE

[illegible]

- Please delete Alvin T. Rockhill.

Laura F. Shunk, Reg. No. 31,423; Frank C. Rote, Jr., Reg. No. 20,395; Nestor W. Shust, Reg. No. 23,034; Michele M. Tyrapak, Reg. No. 42,192; Charles A. Crehore, Reg. No. 27,628; and Cheryl L. Farine, Reg. No. 36,796, all of Hudak & Shunk Co., L.P.A.

- a.[X] The power appears in the original papers in the prior application.
- b.[] Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

- c.[X] Address all future communications to:

Robert F. Rywalski, Esq.
Assistant Secretary and Chief Patent Counsel
OMNOVA Solutions
175 Ghent Road
Fairlawn, OH 44333-3300

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11. [X] A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)
12. [X] I hereby verify that the attached papers are a true copy of prior application Serial No. 09/032,667 as originally filed on 02/27/98.

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SEP 6, 2000
(Date)

Daniel J. Hudak
Daniel J. Hudak

Address of signator:

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- [] Inventor(s)
[] Assignee of complete interest
[X] Attorney or Agent of Record
[] Filed under Rule 34(a)

Telephone: (330) 535-2220

Attorney Docket: GT-4722
GC-EW-DIV

b:rule-60.div/Forms